

WATER AGAIN FLOWS IN CANALS; TEMPORARY INJUNCTION GRANTED

Mesilla Valley Farmers Carry Their Contentions With the Reclamation Service to Court; the El Paso Delegation Fails in Its Mission of Peace; Ditch Riders Guard Canals.

A TEMPORARY writ of injunction forcing officials of the reclamation service to turn water into the upper Mesilla valley canals, which have not had water since May 1, was issued Tuesday night at Las Cruces by Judge E. L. Medler, of the third district court.

The "mediation committee" of El Paso, headed by H. B. Orndorff, which went to Las Cruces Tuesday with the purpose of persuading the upper valley farmers from carrying the matter into the courts, failed in its mission. Although the El Pasoans were warmly received, their arguments for peace were unheeded.

Injunction Served at Night.
The injunction issued Tuesday night was served at 8:30 p. m. on Charles A. Burns, of the reclamation office in Las Cruces. It instructed him and his agents to immediately cease the water, which had been diverted from the canals operated by the water users of the upper Mesilla valley, to again flow into the ditches and canals. It also restrains the reclamation officials from imposing any legal charges for obstructing this maintenance. In connection with the Elephant Butte irrigation project.

The writ is temporary and will be further heard before Judge Medler on Thursday, May 13, when attorneys for the water users and reclamation service will begin the battle to decide whether it will be set aside or made permanent. Assistant manager Burns immediately obeyed the injunction and water is now flowing through the Mesilla valley canals.

Mediators Disappointed.
El Paso's "peace commissioners" were disappointed when they returned to El Paso. R. B. Orndorff, president of the chamber of commerce and chairman of the "mediation committee," said Tuesday night that the Elephant Butte water users had set their minds against signing the irrigation contracts presented to them by the reclamation service and no amount of argument could prevail on them to change. The El Pasoans, among whom, besides Mr. Orndorff, were U. S. Stewart, W. G. Rose, J. M. Wyatt, M. L. Caldwell, George E. Lehman and George H. Clements, reached Las Cruces at 11 o'clock Tuesday morning and immediately went into session with the officials of the Elephant Butte Water Users' association. Present were L. Clapp, president of the association, Mark B. Thompson and H. R. Hoff, attorneys, and about 20 members and directors.

Orndorff Urges Peace.
Mr. Orndorff urged on the Mesilla valley men the necessity for signing the contracts now and settling the matter afterwards through the proper authorities. He told them that their policy was one which could not bring them any lasting benefit and pointed out to them how 95 percent of the El Paso valley water users had signed contracts which called for 95 cents per acre more than these presented to the upper valley farmers. He pleaded with them to adopt peaceful measures now, in view of the fact that congressional appropriation bills are being passed by the government and the farmers.

Not Money But Principle.
Attorneys for the Las Cruces water users answered most of the arguments made by the El Pasoans. They contended that they were fighting not so much for the money as for the principle.

ple. They asserted that the reclamation service has no right to charge for storage water until the dam is completed. One of the clauses of the contract presented for signature imposed on the farmer a charge of 25 cents per acre foot storage water. They also said that the action of the reclamation service in shutting off the water in the Mesilla valley canals and its laterals on May 1 was an unjust, arbitrary act and was a violation of the riparian rights of owners of the land.

The discussion on both sides was most friendly. The El Pasoans soon found that no argument could shake the upper valley farmers from their position and they were notified that an injunction would be asked Tuesday night. Attorneys Hoff and Thompson did most of the talking for the water users.

Ditch Riders on Canals.
Ditch riders employed by the upper valley water users went on duty the night of May 1 along the canals and refused to permit those who had signed up to receive water. One percent of the farmers signed the contracts and the reclamation officials allowed enough water to flow through the canals to serve these few, but the ditch riders of the association had orders, it is reported, to let no one have water from the canals and no one received any.

One Mesilla valley farmer said he had 200 acres of alfalfa which he would permit to die rather than sign the contract.

FIRST AID WORK TAUGHT IN MIAMI

Miami, Fla., May 5.—First aid to the injured will be taught in the schools of Miami next year in all likelihood. Dr. Woodburn, who is in charge of the first aid and helmet crews of the Old Dominion mine, has agreed to conduct the work if the school officials so desire. It is believed satisfactory arrangements can be made.

CURRY COUNTY TEACHERS MEET AT CLOVIS MAY 14

Santa Fe, N. M., May 5.—The Curry County Teachers' association will hold their meeting at Clovis on May 14 and 15. Superintendent of public instruction Alvin N. White appears on the program to address the association on May 15.

The county eighth grade exercises will be held in the afternoon of the second day in the Clovis Methodist church.

Miss Maude Hancock will have charge of the program and Mrs. S. F. Culbertson, county superintendent of Roosevelt county, will address the graduates as well as deliver the certificates. After the graduation exercises the Curry county scholastic track meet will take place in the ball park.

CROSBY-STEVENS CASE ON TRIAL

The case of Josephine Crosby and others against H. B. Stevens and others, involving title to about 120 acres of land lying along the county road just below the five mile bridge, was called in the 14th district court Wednesday morning.

This is the second trial of the case.

He who buys home products loves home.

U. S. IS OPPOSED TO PRIZE COURT

Objects to the Proposition Submitted by Germany and Says So.

(Continued From Page One.)

sible and can more conveniently be examined in the United States than elsewhere on account of the presence there of the owners and captain of the William P. Price and their documentary records, and other possible witnesses, the government of the United States ventures to suggest the advisability of transferring the negotiations for the settlement of these points to the imperial German embassy at Washington.

"In view of the admission of liability or by reason of specific treaty stipulations, it has become unnecessary to enter into a discussion of the meaning and effect of the declaration of London, which is given some prominence in your excellency's note of April 6, further than to say that, as the German government has already been advised, the government of the United States does not regard the declaration of London as in force."

NEWTON WANTS FIREMEN FLAMES TOO FREQUENT

Morenc, Ariz., May 5.—Because Newton, near here, has been too frequently visited by fires in the past few years and the destruction of the entire business portion of the town several times been threatened, the business men of the town met and made plans for the installation of a fire department. The last fire occurred a week ago Sunday when two houses were burned.

W. J. Cantlon, who is employed in the Arizona Copper company's mine office, is confined at the A. C. hospital because of stomach trouble. He was operated upon recently and was thought to have fully recovered.

Fourteen riders, under the supervision of Mr. and Mrs. Charles Beck, rode to the Standard mine and were entertained at dinner by W. W. Porri and R. W. Prouty. On the return, part of the party rode to Clifton and then to Morenc.

MESILLA PARK SCHOOL HAS 14 IN GRADUATING CLASS

Mesilla Park, N. M., May 5.—Preparations are being made by the Mesilla Park public school for the commencement exercises, which will be held in the Presbyterian church Wednesday evening, May 11.

There are 14 in the class, including a girl, seven girls and seven boys. On Sunday, May 5, the class is a body will attend the Presbyterian church, where the pastor, Rev. E. E. Mathews, will deliver in their honor a brief address, in connection with the observance of "Mother's Day."

Prof. Hiram Hadley is to deliver the address at the graduation exercises on Wednesday evening, May 11, when the highest honors will be on the program. Prof. Hines being valedictorian, and Donald Mathews salutatorian, with Verma Guldard and Hugh Hays not far behind in grade.

Bishop Frederick B. Howden arrived in the Park Tuesday morning and is the guest of Dr. and Mrs. W. R. Agate while attending the convention of the missionary diocese of New Mexico and West Texas, at the Episcopal church, next session in Las Cruces.

ROY BARNUM TO ATTEND ELKS CONVENTION AT WACO

Roy D. Barnum was named as delegate from El Paso lodge 187, of ELKS to the Elks convention at Waco, at the weekly session of the local lodge on Tuesday night.

George E. Wallace will also attend the convention.

The War At a Glance

FURTHER striking victories by the Austro-German forces in the east were announced today by the Berlin war office. It is stated that successes were won in France and Belgium. This report, together with the news of the last few days, make it appear that the Teutonic allies have entered into offensive operations on both the eastern and western fronts such as have seldom been undertaken simultaneously since the war began.

Third Russian Line Broken—

It is in Galicia that the most important victory is claimed. The German announcement says the third fortified line of the Russians was pierced and that they were defeated along the entire front.

German Succeeded in West—

In France and Belgium several German attacks are reported to have been made successfully.

Nine Ships Torpedoed—

Nine travelers were torpedoed by German submarines in the waters of the English channel in each instance the crew escaped.

Hard Fighting in Carpathians—

Desperate fighting is in progress on the Carpathian front of the region of Styria. It is said one hill changed hands three times in a single battle, and that 1300 Austrians were captured by the Russians.

Turkish Aeroplanes Brought Down—

Official reports from Saloniki say that two Turkish aeroplanes which attacked the allied fleet at the Dardanelles were brought down by the fire of the warships.

Turkey Fears Bulgaria—

Relations between Bulgaria and Turkey apparently are becoming more uncertain. Turkey is sending troops hastily to the neighborhood of Adrianople, after having been asked to do so by the Gallipoli peninsula.

Austria's answer to Italy's demands to accept Thursday and it is believed in Rome its character will determine the course of Italy.

LA MESA HAS ABUNDANCE OF BEAUTIFUL FLOWERS

La Mesa, N. M., May 5.—The rose bushes in different parts of La Mesa have made wonderful growth this spring and seemingly have blossomed more profusely than in several years. Among the most attractive varieties are those of Chas. Brown and H. R. Hannum, at San Miguel. Mrs. Hannum has an abundance of American beauties, besides the roses and Jasmines.

An important meeting is scheduled for Saturday afternoon, May 6, at 2:30, at the La Mesa school house, when Mr. Barber, the county agricultural agent, will be present to meet the people. The object of this meeting is to get in touch with those having questions to which wish solutions.

As an example of the fertility of the soil and the possibility of horticulture, the following points are noted. An old demonstration garden, which has been irrigated from the ditch, and the remaining soil is in early bearing.

A. P. Williams, Mrs. Chas. T. Bartlett, Mrs. C. H. McKee, of this place, and Mrs. J. J. Tuttle, of El Paso, motored in the day.

LEE HELD ON \$10,000 BOND ON COUNTERFEITING CHARGE

Benjamin F. Lee, alias Boyle, alias Oliver under \$10,000 bond on a charge of grand jury Wednesday morning by United States commissioner George H. Oliver under \$10,000 bond on a charge of counterfeiting \$10 bills. Lee's preliminary hearing was the first step in a legal battle that will end a chase of five years by government secret service agents.

When arrested last week Lee had in his possession several small plates, impressions of currency engraved upon them. It is charged that he counterfeited bills on Crocker National bank, of San Francisco. He was unable to give bond.

ARIZONA 80 PERCENT CASE IS ADVANCED TO OCTOBER 12

Phoenix, Ariz., May 5.—Notification to the effect that the case involving the validity of the Arizona 80 percent law has been advanced on the federal supreme court calendar to October 12, has been received by attorney general Wiley Jones. Several weeks ago Jones moved that the case be advanced because public necessity demanded an early decision. Had his motion not prevailed, the hearing would not have been held for at least a year.

This is the case brought by Max Blach, a Bismarck, who filed in the federal court an application for an injunction restraining his employer, William Truck, from charging him to comply with the 80 percent law, which was initiated last year and approved by popular vote. The injunction was granted and attorney general Jones appeared on behalf of the state, which had intervened.

THE COURTS

41ST DISTRICT COURT.
P. R. Price, Presiding.

A. L. Little vs. El Paso Electric Railway company, suit for damages; filed.

34TH DISTRICT COURT.
Dana M. Jackson, Presiding.

Josephine Crosby et al. vs. H. B. Stevens et al. Response to try title; on trial.

Jennie Kirschner vs. Jacob Kirschner, divorce and restoration of maiden name; filed.

Elizabeth Richardson vs. L. C. Richardson, divorce, granted and maiden name of Jennie Johnson restored.

Octaviano Garcia vs. Galveston, Harrisburg & San Antonio railroad, suit for \$50,000 damages for personal injuries; verdict for defendant.

6TH DISTRICT COURT.
Ballard Caldwell, Presiding.

E. M. Callaway vs. El Paso Bank and Trust company, suit for \$5000 for personal damages; judgment for plaintiff for \$4750.

Barbara H. Hernandez vs. Alberto Hernandez, divorce; filed.

COUNTY COURT.
Adrian Pool, Presiding.

State of Texas vs. John H. Hernandez, theft; filed.

State of Texas vs. Maria Pallas and Natalio Alvarez, theft; filed.

State of Texas vs. S. S. Carpenter and Mrs. Anneline Dwyer, obstructing public road; filed.

State of Texas vs. J. Walker, selling liquor without a license; fined \$100 and costs.

JUSTICE COURTS.
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State of Texas vs. J. J. Drummond, speeding; defendant pleaded not guilty and waived a jury.

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State of Texas vs. Miguel Romo, seduction; defendant waived examining trial and was released on his own recognizance.

State of Texas vs. Jose Martinez, affray; defendant pleaded guilty and was fined \$1 and costs.

State of Texas vs. W. Charles Manning, embezzlement; case dismissed on motion of county attorney.

**GOVERNOR NAMES MAY 9
MOTHER'S DAY IN TEXAS**
Austin, Tex., May 5.—Governor Ferguson today issued his "Mother's day" proclamation, officially designating Sunday, May 9, as "Mother's day."

IN THE DESERT.
From Chandler, Arizona.
"Little pots of paint,
Make a difference in the neighborhoods
Out of them that paint."

When human brains become more enlightened, be a feed made equal to GOLDEN ROY, but was doubt it. Walter S. Clayton, Agent—Adv.

HUTCHINGS HAS MADE HIS REPORT

Says Scandal Affecting National Guard Is in Charge of the Government.

Austin, Texas, May 5.—Adj. Gen. Henry Hutchings returned today from San Antonio where he has been conferring with Maj. Gen. Frederick Funston, commander of the southern department. Adj. Gen. Hutchings relative to the investigation of the alleged sale of \$50,000 worth of federal military property, which had been in the possession of the Texas and New Mexico guards.

Gen. Hutchings made a complete report to the governor. He had nothing to add to what has already been made public and he declared that he had submitted all evidence in his possession to Gen. Funston and that the federal government now has charge of the investigation.

Much Army Property Involved.

The property involved included several hundred army tents, blankets, uniforms, guns and ammunition, which is charged, was sold in St. Louis and other places by former officers of the Texas national guard. The result of the investigation, it is said, may cause the federal government to withdraw its annual appropriation for the Texas militia and also institute proceedings against at least two former Texas guard officers, whose names are withheld.

Funston Makes Statement.

Gen. Funston in a statement said: "It is evident two militia officers abused their positions, disposing of large quantities of army goods which had been issued to the state of Texas. Some of these goods were sold to Mexican factions and the remainder to private dealers in this city. There may be other persons involved but the facts will not be known until Maj. Simons completes his investigation."

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AUTOS COLLIDE ON COUNTY ROAD

Three Cars in Double Collision Near Park; Mexican Has His Face Cut.

A double collision occurred on the county road near Washington yesterday night, when two Ford cars collided and then one of the Fords struck the five passenger Studebaker owned by H. P. Jackson and driven by F. J. Dean, of the firm of Jackson, Winder & Dean.

The accident occurred at 11:15 p. m. One of the Ford cars, said to be owned by Hill Bros., and another Ford nickel car owned by J. Chascoe, 314 Myrtle avenue, collided. The auto owned by Chascoe was said by Mr. Dean to have been going out of the city, while the other Ford was coming in. The two nickel cars collided and one had the front wheel broken.

Second Collision Occurs.

As soon as the Ford cars stopped one of the cars started up just as Mr.



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Campbell's Tomato Soup

It is always so welcome; so easy to prepare; and there are so many different ways in which you can enjoy it, that ordering by the dozen really saves time and effort.

For formal affairs or every day meals; for youngsters or "oldsters;" for the delicate or the hearty—you couldn't provide a dish more suitable and satisfying.

Why don't you 'phone for a dozen right now?

21 kinds 10c a can

Campbell's SOUPS

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GREAT

China Palace Sale

LASTS

ONLY 3 DAYS MORE

Every Article in Our Two Stores on Sale at from

20% to 50% Discount

Buy Now and Make Big Savings

THE CHINA PALACE CO.

HYMAN & SANDERS, Managers

LEWY GROCERY

COMPANY

SPECIALS

1 doz. Cans Peas.....90c

1 doz. Cans String Beans.....90c

1 doz. Cans Tomatoes.....90c

1 doz. Large Size Baked Beans 90c

1 doz. Cans Table Peaches.....\$1.25

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Phones 505 & 506. 204 & 206 East Overland St.

Announcing For Tomorrow and Friday--A Two-Day SALE OF UNDERMUSLINS

—all the Main Floor Sales Tables heaped high with these lovely pieces—each garment almost gleaming with purity—each one intelligently cut.

and well made! Every practical kind of undermuslin is in this 2-day sale.

Look for the not-advertised specials—all as attractive as the ones listed below.

\$1.50 Undermuslins at 98c

—including our entire stock of \$1.50 gowns, skirts, envelope chemise, princess slips, drawers and corset covers—made of best quality nainsook, with Swiss embroidery, organdie, shadow and Valenciennes lace trimmings—neat pink and blue ribbons at neck. Values too good to let go by, tomorrow and Friday at only.....98c

98c Princess Slips and Skirts for 69c

—made of good long cloth and nainsook, wide embroidery trimmings